



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY**

**WET 2004-2724**

04-076

November 19, 2004

Liberatore and Emily Scoppettuolo  
1617 North Shore Rd  
Revere, MA 02151

RE: DES Wetlands File #2004-02724 Coffin Brook Rd, Alton

Dear Mr. / Ms. Scoppettuolo:

On November 9, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Alton Tax Map 5 as Lot 48 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were found and documented in the restoration plan submitted by Thomas Varney of Varney Engineering LLC for the Property:

1. Unauthorized dredge (112 sq ft) and fill (4019 sq ft) within a wetland related to current development activities (112 sq ft);
2. Installation of a culvert in a wetland without a permit; and
3. Failure to install erosion controls protecting adjacent wetlands and stream.

During the inspection the following additional deficiencies were found:

1. Unauthorized fill of vegetative debris in 650 sq ft of wetland on the perimeter of the construction site; and
2. Unauthorized fill of slash/logs in 3375 sq ft of wetland from previous logging activities along a logging road on the property.

In response, you are requested to take the following actions:

1. Carry out all actions outlined in the Wetlands Inspection Report (copy attached) given to Mr. Thomas Varney, your agent, during the site inspection. The Wetlands Inspection Report outlines the following actions to be taken:
  - a. Install a silt fence around the perimeter of entire site within 3 days or completed by November 13, 2004.
  - b. Install additional erosion controls around fill pile(s) to contain erosion within 3 days or completed by November 13, 2004.

- c. Install a headwall or stabilize the culvert inlet and outlet and replace the culvert with a 15" x 20' culvert within one week or by November 16, 2004.
  - d. Resubmit a restoration plan with the species, location, and container size of shrubs to be planted in restoration area within 2 weeks, by November 23, 2004.
2. Revise the restoration plan to reflect all actions outlined in the Wetlands Inspection Report as listed above and to include the following:
  - a. An overview of the whole property including:
    1. Property lines;
    2. The location of the logging road and all wetlands along the old logging road which have been impacted by forestry activities, more specifically filled with slash/logs, including extent (sq ft) of existing impacts;
    3. The location and size of footprint of all existing and/or proposed primary and accessory structures on the lot;
    4. All alternatives for accessing the site (show all access easements if applicable);
  - b. Actions to be taken to remove all slash/logs from wetlands on the property resulting from forestry activities;
  - c. The proposed route of access to the forestry impacts, avoiding portions of the logging road which contain wetlands;
  - d. Temporary and permanent measures to be used to stabilize banks of fill in uplands adjacent to the restored wetland (ex. cut back slope (percent slope), seed, and tack and net);
  - e. Plans to stabilize seeded soils in the wetland (ex. straw); and
  - f. A description of the proposed construction sequence and timeline including:
    1. All requested actions by the department;
    2. Anticipated restoration compliance dates; and (Note\* A restoration approval will be conditioned to restore wetlands in need of revegetation next year during low flow.)
    3. Dates of submittal of progress reports to DES documenting the stages of restoration, maintenance of erosion controls throughout the wet season, growth of vegetation for at least one growing season, and upkeep of temporary erosion controls.
3. Submit the revised restoration plan to DES within two weeks from the date of this letter, December 3, 2004. *Please be advised that implementation of the restoration plan before receiving written approval and as conditioned by DES can result in further enforcement action.*

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered

a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

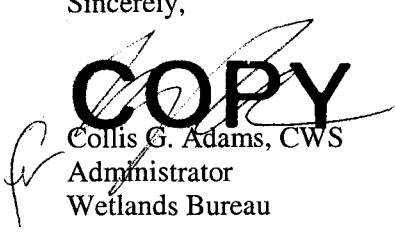
Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Stacey Herbold, Compliance Inspector  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Stacey Herbold at (603) 271-4062.

Sincerely,

  
**COPY**  
Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7099 3400 0003 0696 0626

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen R. Hamel, Administrator, DES Legal Unit —  
Alton Conservation Commission  
Alton Board of Selectmen  
USACOE  
Town Of Alton  
Thomas W Varney